

August 12, 2003

Public Notice for 401 Certification

**Dike Repair in Klopp Lake and the City of Arcata's Wastewater Oxidation Ponds
and
Restoration of Unnamed Tributary to Jacoby Creek
WDID No. 1B03132WNHU**

Humboldt County

On July 10, 2003, the North Coast Regional Water Quality Control Board (hereinafter Regional Water Board) received an application from Ms. Julie Neander on behalf of the City of Arcata (hereinafter applicant), requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for two separate projects. One project involves the restoration of an unnamed tributary to Jacoby Creek, located north of Spring Hill Lane and east of Old Arcata Road (SW ¼ of NE ¼ of Section 29, T6N, R1E, Arcata North Quadrangle). The second project is to repair failing dikes in both Klopp Lake, located in Arcata Marsh and Wildlife Sanctuary at the southern terminus of South I Street, and nearby municipal wastewater oxidation ponds owned by the applicant, located at 600 South G Street (SW ¼ of Section 32, T6N, R1E, Arcata Quadrangle). Both of these projects are located in Arcata, Humboldt County. The proposed projects will cause disturbances to Waters of the State associated with Eureka Plain Hydrologic Unit No. 110.00.

Wind and waves from Humboldt Bay have damaged the outer dikes of Klopp Lake and the applicant's oxidation ponds. The purpose of one of the proposed projects is to repair the dikes, as well as to repair and reinforce three islands in the middle of Klopp Lake and the shores of the lake and ponds. To reinforce the islands and shores, the applicant is proposing to use ½- and ¼-ton, and 12- to 14-inch rock and sand. The dikes will be reinforced using ½-ton boulders and concrete riprap. The total fill resulting from this project is estimated to be 5,150 cubic yards of rock and concrete. No equipment will be operated within Waters of the State of California. Riprap placed around the islands will be placed by hand from boats. All fill will be placed in the original locations of structures that have been eroded over time. Therefore, none of the impacted waters are being newly filled.

Klopp Lake provides resting and feeding sites for many bird species, and the islands within the lake provide loafing and nesting sites for many shore birds. Therefore, this proposal to repair the outer dikes and the islands themselves, as well as the shore, can be classified as habitat restoration.

To minimize potential environmental impacts of the project, the applicant is proposing to conduct this work during low tide. In addition, limiting work to June, when the bird population is the lowest, will mitigate impacts to waterfowl that use the islands.

The purpose of the other project is to realign and restore 245 linear feet of Class II stream channel, as well as the historic wetland surrounding the stream channel. The applicant is proposing to first excavate a more naturally meandering channel for the stream (which is now confined to a roadside ditch), and then to excavate the imported upland fill that is currently

covering the wetland surrounding the stream, and restore to historic conditions the stream banks and wetland through which the stream flows. Prior to removal of imported fill, the applicant will remove any facultative wetland trees and shrubs, which will then be stored onsite and replanted upon project completion. In addition to salvaged trees and shrubs, native grasses and rice straw will be used to prevent erosion of the newly excavated site. To prevent erosion of the new channel, the stream will be diverted to it only after vegetation has been established along the banks.

To minimize potential compaction of the soil on-site, excavation will occur during the dry season, and equipment will be operated on top of plywood sheets, which distribute the weight of equipment over a greater area. A temporary crossing will be constructed over the new stream channel either by laying plywood across a large culvert in the stream, or placing a thick steel plate across the channel. The applicant will install a sediment fence downstream to prevent sediment transport.

Although fish are not documented in this stream reach, the applicant's staff will walk the old stream and relocate any aquatic organisms to the new stream. All habitat will be restored in accordance with the "California Salmonid Stream Habitat Restoration Manual". The existing channel will be maintained as a drainage channel that drains to the new stream channel. Excavated fill will be transported offsite to a disposal area, or reused in construction projects at other locations.

The applicant has applied for permits from the United States Army Corps of Engineers, pursuant to the Clean Water Act, Section 404. Acting as lead agency, the City of Arcata issued a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the Spring Hill Lane Creek restoration, and a Class 1 Categorical Exemption for existing facilities pursuant to Section 15301 of CEQA for dike repair at Klopp Lake and the City of Arcata's oxidation ponds. The applicant has applied for Lake or Streambed Alteration Agreements (1603 Permits) from California Department of Fish and Game.

The Spring Hill Lane Creek Restoration Project is scheduled to commence as soon as all necessary permits are obtained and end before October 15, 2003. The Klopp Lake and City of Arcata Oxidation Pond Dike Repair Project is scheduled to take place each June from 2004-2008.

Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Roy O'Connor by phone at (707) 576-2670, or e-mail roconr@rb1.swrcb.ca.gov within 21 days of the posting of this notice.